

**Remarks**

These Remarks are in reply to the Office Action mailed October 14, 2008.

**I. Summary of Examiner's Rejections**

Claims 1, 18-35, and 37-48 were pending in the Application prior to the Outstanding Office Action.

Claims 1, 18-28, 34-35, 37-39, 43-44, and 48 were rejected under 35 U.S.C. 102(e) as allegedly anticipated by U.S. Patent No. 7,206,827 to Viswanath et al. (hereinafter referred to as Viswanath, priority date July 25, 2002).

Claim 29 was rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Viswanath in view of US 5,212,784 to Sparks (hereinafter referred to as Sparks).

Claims 30-33 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Viswanath in view of official notice.

Claims 40-42 and 45-47 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Viswanath in view of US 6,788,980 to Johnson (hereinafter referred to as Johnson).

**II. Summary of Applicant's Response**

The present Reply amends claims 1, leaving for the Examiner's present consideration claims 1, 18-35, and 37-48. Reconsideration of the claims is requested.

(Discussion of Claims begins on the next page.)

### **III. Discussion of Claims**

#### **Claim 1**

Claim 1, as amended, is provided below for the convenience of the Examiner.

1. A computer-readable storage medium containing instructions stored thereon, which when read and executed by a plurality of computers cause the plurality of computers to perform steps comprising:

receiving, at an administrative server, an MBean definition file in XML format;

generating, at the administrative server, an MBean jar file from the MBean definition file, wherein the MBean jar file includes a tag for an MBean and a tag for each attribute, operation, and potential notification issued by the MBean;

sending the jar file from the administrative server to a managed server in a management domain, wherein the management domain is a collection of distributed servers that are managed as a unit;

using the jar file to instantiate the MBean upon the managed server, wherein scope of the MBean is set to server-specific for the managed server, and wherein the administrative server does not have a copy of the MBean; and

providing a custom management capability through the MBean over the management domain;

wherein scope of the MBean is a set of locations at which the MBean is available and the MBean is not available to servers located outside the MBean's scope.

Claim 1 as amended includes the step of "using the jar file to instantiate the MBean upon the managed server, wherein scope of the MBean is set to server-specific for the managed server, and wherein the administrative server does not have a copy of the MBean. In other words, claim 1 specifies that the MBean is instantiated upon the managed server, that the scope of the MBean is set to server-specific for the managed

server, and that the administrative server does not have a copy of the MBean. As will be described below, Viswanath does not teach or suggest these features of claim 1.

Viswanath discloses that FIG. 3 illustrates an administration server with management beans and configuration beans implemented in accordance with a dynamic administration framework. The generated beans including business logic (referred to as management beans 212) may be part of a management layer of the administrative server 200. (Col. 14, lines 40-47).

Applicant respectfully submits that the administration server 200 illustrated in Fig. 3 appears to contain all of the generated MBeans 212. Accordingly, Viswanath appears to teach against the feature that the Administration server does not have a copy of the MBean, as the generated MBeans 212 are shown on administration server 200. Applicant therefore respectfully submits that Viswanath does not disclose or render obvious that the administration server does not have a copy of the MBean.

Viswanath further appears to be silent regarding that the scope of the MBean is set to server-specific. Instead, Viswanath discloses that the generated management beans (e.g. MBeans) of the administration server may be read to generate corresponding MBeans for each component being generated, and the components may be initialized. (col. 24, lines 5-10). As such, the MBeans disclosed in Viswanath do not appear to be server-specific. Therefore, Applicant respectfully submits that Viswanath does not disclose or render obvious that the MBean is set to server-specific for the managed server.

Claim 1 has been further amended to define that the scope of the MBean is set to server-specific for the managed server. Claim 1 further defines that the scope of the MBean is a set of locations at which the MBean is available and that the MBean is not available to servers located outside the MBean's scope.

It was asserted in the Office Action that any MBean which is available from a server meets the claimed limitation (including e.g., Viswanath col. 2, lines 37-40). However, this portion of Viswanath merely discloses that components may be deployed on different servers in a network and may communicate with each other for needed servers. Claim 1 as amended defines that the scope of the MBean is set to server-specific for the managed server. Further, there does not appear to be any disclosure regarding setting the scope of a server-specific MBeans.

Johnson discloses that objects are located by name. An object location service supports the location of named objects; supports hierarchical object names; allows rule based specification of the name delimiting character; locates an object based on a longest fit because not all parts of an object name are globally known and (b) not all parts of an object are in the same physical location; supports the implementation of naming scopes, i.e., limiting the visibility of names; supports the use of a name search path so that relative names can

be located... (Col. 23, lines 10-20).

Applicant respectfully submits that Johnson describes naming scopes, i.e. limiting the visibility of names. In almost all programming languages, names of variables are not globally unique, the variable names are unique only relative to other variable names in the same variable name scope. However, Claim 1 defines that the scope of an MBean is a set of locations at which the MBean is available. The MBean is not a variable name. Instead, the scope of an MBean is describing the set of locations where the MBean is available; i.e. on which servers does the MBean exist. In contrast, for variable naming scope, the variables exist on the server whether or not the variable name is in scope. Therefore, Applicant respectfully submits that the combination of Viswanath and Johnson does not render obvious that the scope of the MBean is set to server specific for the managed server, as required by claim 1. Applicant further respectfully submits that the scope of an MBean is a set of locations at which the MBean is available, wherein the scope is specified in the MBean definition file, and an MBean is not available to servers located outside the MBean's scope, none of which is taught or suggested by Viswanath and Johnson, alone or in combination.

For at least the reasons set forth above, Applicant respectfully requests that the 102(e) rejection of claim 1 be reconsidered and withdrawn. Further, applicant respectfully asserts that Sparks and Johnson do not teach or suggest the above described deficiencies of Viswanath.

#### **Dependent Claims 18-35 and 37-48**

Claims 18-35 and 37-48 depend from and include all of the features of Claim 1. Claims 18-35 and 37-48 are not addressed separately, but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim, and further in view of the features that they add. Reconsideration thereof is respectfully requested.

#### **IV. Conclusion**

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

Application No: 10/823,324  
Office Action mailed: October 14, 2008  
Reply dated: December 15, 2008

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: December 15, 2008

By: /Thomas K. Plunkett/  
Thomas K. Plunkett  
Reg. No. 57,253

Customer No. 80548  
FLIESLER MEYER LLP  
650 California Street, 14<sup>th</sup> Floor  
San Francisco, California 94108  
Telephone: (415) 362-3800

- 10 -

Attorney Docket No.: ORACL-01260US2  
tplunkett/orac/1260us2/1260us2\_Reply\_101408.doc

PAGE 11/11 \* RCVD AT 12/15/2008 9:14:44 PM [Eastern Standard Time] \* SVR:USPTO-EFXXRF-6/8 \* DNIS:2738300 \* CSID:415 362 2928 \* DURATION (mm-ss):01-56

